

EXHIBIT 4

From: King, Jeremy
Sent: Thursday, August 3, 2023 8:06 AM
To: David Yerushalmi
Cc: Eckstein, Maya; Powell, Lewis>; Elliker, Kevin; 'C. Page'>
Subject: RE: Plaintiffs Document Production in Response to RMast RFPs

David,

We respectfully disagree with your interpretation of the case law you provided, most of which is out-of-circuit and inapplicable to our case. Per our previous email, the documents you received contain metadata sufficient to demonstrate their provenance. Whatsapp messages have been produced in their exported format, with the sender and recipient's information included as well as timestamps. Emails have been produced as chains with all associated metadata. The documents for which provenance may be less obvious from the face of the document are those received through your client in the state court litigation. We trust this explanation satisfies your first two concerns concerning provenance. That said, despite our disagreements, out of respect for the court's time, and to avoid further motion practice we have attached a spreadsheet that lists each RFP and bates ranges for responsive documents within the productions.

With respect to your third question, any further documents we produce will be new, relevant documents and communications that we identify in a refreshed collection of our clients' phones.

We will respond to your comments regarding common interest privilege under separate cover sent to all defendants. You will recall, however, that our agreement that parties need not log attorney-client communications following the initiation of the state-court litigation did not apply to third-party communications. For instance, you instructed that if Plaintiffs intended to assert a "common interest" with the government, you expected those communications to be logged. Of course, we have not withheld those communications so your concerns were unfounded. But this is not a change in the "rules of engagement" insofar as we simply ask you play by the same rules we have.

Best,
Jeremy



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